

REQUEST FOR PROPOSALS

THE VERMONT DEPARTMENT OF PUBLIC SERVICE (“DEPARTMENT” OR “DPS”) IS SEEKING EXPERT CONSULTING ASSISTANCE.

THE DEPARTMENT SEEKS TO HIRE A CONSULTANT TO PREPARE AN INTRODUCTORY PAPER IDENTIFYING AND EXPLAINING ISSUES AND OPTIONS WITH RESPECT TO AN ONGOING INVESTIGATION OF THE VERMONT PUBLIC SERVICE BOARD (“PSB” OR “BOARD”) REGARDING THE PUBLIC POLICY IMPLICATIONS OF PLACEMENT OF UTILITY LINE EXTENSIONS AND RELOCATIONS, INCLUDING CONSIDERATION OF LAND USE, ENVIRONMENTAL, AND COMMUNITY DEVELOPMENT IMPLICATIONS OF LINE LOCATION POLICY, CONTINUED USE OF OFF-ROAD LINE LOCATIONS, AND INCREASED USE OF UNDERGROUND LINE EXTENSIONS.

Date issued: June 25, 2001.

PROPOSAL DUE BY: Noon, Friday, July 20, 2001

Questions concerning and responses to this request for proposals (“RFP”) should be directed to:

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One paper version of each proposal should be submitted as well as an electronic copy by e-mail.

I. INTRODUCTION

The PSB, the quasi-judicial commission which regulates utilities in Vermont, is engaged in its ongoing Docket 5496, which concerns developing rules for electric utility line extensions and relocations. On September 21, 1999, the PSB issued an order in that docket. This order, among other things, established a third phase of the docket which would include “an expanded investigation to consider the broad policy implications of the placement of utility line extensions and relocations.” Docket No. 5496, Order of Sep. 21, 1999 at 14. This expanded investigation is to include consideration of, among other things, the potential land use, environmental, and community development implications of utility line location policy. *Id.* at 43-4. The Board also stated that the investigation would include:

[W]hether there is a role for the continued use of off-road line locations, and/or the increased use of underground line extensions to minimize land use and environmental impacts, reduce maintenance expenses related to major storm events, and improve traffic safety by eliminating roadside utility poles. This part of the investigation will, by necessity, involve a thorough cost/benefit study of the use of underground distribution lines in the context of Vermont's environment.

Id. In a footnote to this discussion, the Board stated:

We recognize the cost and reliability advantages advanced by distribution utilities for roadside locations. Nevertheless, as widely recognized with the recent restoration of the PV-20 transmission line, utility lines can have major impacts on aesthetic resources that Vermonters value highly. A careful review of these tradeoffs, including consideration of aesthetic issues, should be conducted as part of the next phase of this docket.

Id., n. 2.¹

The Department is a separate agency from, and represents the public interest before, the Board. To begin this phase of Docket 5496, DPS proposed that an expert should be retained to assist the Board and parties by providing an introductory paper explaining issues and options with respect to the above aspects of the expanded investigation ordered by the Board. On March 23, 2001, the hearing officers assigned by the Board to the investigation issued an order approving the Department's proposal.

DPS will perform selection and oversight of the selected expert(s) in consultation with a multi-party committee. This committee is likely to consist of one or more DPS personnel, a representative of the Vermont Agency of Natural Resources, a representative of Vermont's investor-owned Vermont electric utilities, a representative of Vermont's municipal electric utilities, a representative of Vermont's electric cooperatives, and a representative of Vermont's non-electric pole-owning utilities.

II. TASKS

The selected consultant(s) will prepare an introductory paper that will perform several functions.

¹Some utilities have been engaging in systematic programs of relocating lines to roadside.

First, the paper will identify the issues that should be considered in developing policy regarding land use, environmental, aesthetic, community development, and settlement pattern implications of utility line location, continued use of off-road utility line locations, and increased use of underground utility line construction.

Second, the paper will explain those issues in enough detail that they can be taken into account in party recommendations and the Board's decision.

Third, the paper will present substantive policy options that parties and the Board could consider along with an explanation of the strengths and weaknesses of those options.

Fourth, the paper will contain a process recommendation on what tasks the parties and the Board should go through to reach a decision on a line location policy.

The paper will *not* contain a recommended rule or outcome.

Prior to preparing the paper, the selected consultant(s) will attend a workshop with the parties to Docket 5496 to discuss relevant matters, including but limited to utility safety, reliability, and operational concerns.

Following completion, the paper will be submitted to the hearing officers and the parties, and a further workshop will be convened to discuss the report with the expert(s).

The length of each workshop is not certain at this point. For bidding purposes, please assume that each workshop lasts one work day.

III. GENERAL REQUIREMENTS

The consultant(s) hired must meet the following requirements.

1. Consultant(s) must possess and demonstrate significant, in-depth knowledge of and experience in land use, planning, environmental, aesthetic impact, community development and settlement pattern issues. It is possible to propose a "team" of two or more consultants who together possess this knowledge and experience.
2. Consultant(s) must possess and demonstrate experience as an expert witness in regulatory proceedings and knowledge of and experience concerning government regulation and process.
3. Consultant(s) must not be currently employed by any person or company which sells, transmits, or distributes electricity or natural gas in Vermont.

4. Consultant(s) must be able to start work immediately and be available for a period of at least one year.
5. Consultant experience in electric utility safety, reliability, and operational issues is helpful but not required.

IV. FORMAT OF THE PROPOSAL

Following an introduction, the proposal should address the preparation and presentation of a paper as described above and detail expected costs and person hours.

In addition, each bid should include the following in separate sections:

Qualifications:

Identify and describe the experience and qualifications of all individuals the bidder proposes to use to provide services. A clear description of experience that may be of particular relevance to this effort as well as resumes should be provided.

If the bidder proposes to use multiple individuals, the bidder should identify a “liaison” person to coordinate directly with the DPS. In such case, the bidder should propose and discuss how this coordinating role will work and her/his qualifications and availability for this function.

Where a “team” that has worked together in the past is a part of the proposal, relevant experience of that “team” should be described and discussed.

References:

Bidders must provide three references both for each individual and firm included in the proposal.

Costs:

Each bid should state the hourly rate of each individual to be used.

Writing Sample:

Each bid should attach a sample of substantive written work prepared by the bidder(s) in the past, not to exceed 10 pages single- or 20 pages double-spaced.

V. SELECTION CRITERIA

Selection will be made by the DPS in consultation with the above-described committee. Selection of the consultant will be based on the following criteria:

- ' Qualifications and experience. The descriptions of experience and resumes of relevant personnel will be of great importance.
- ' Ability to begin work immediately, and willingness to work in a flexible and timely manner.
- ' Cost. Clearly articulated and understandable cost proposal will be important.
- ' Communication skills and understanding of subject matter, as demonstrated by the bid.
- ' Writing and analytical ability.
- ' (If appropriate) discussion of how any potential conflict of interest will be addressed.

VI. TERMS AND CONDITIONS

- ' DPS will retain the right to terminate work at any time.
- ' Ownership of work products will vest with the Department.
- ' Any work products will be delivered to the Department upon termination of the project.
- ' The DPS reserves the right to amend or cancel this RFP at any time if the best interest of the State requires such action.
- ' The DPS reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received and to accept any portion of a proposal if deemed in the best interest of the State.
- ' News releases pertaining to this RFP, contract award, or the Project shall NOT be made without prior written approval from the DPS.
- ' Selection of the winning bidder will be made based on the sole opinion of the DPS, in consultation with the above-described committee, that the proposal submitted will be the most advantageous.
- ' The DPS reserves the right to make a selection without further discussion of proposals received. Therefore, it is important that each proposal be submitted in the most complete and accurate manner possible.
- ' The DPS reserves the right to cancel any contract resulting from this RFP, for cause, as will be defined in the Terms and Conditions of the final contract.

- ' The DPS assumes no liability in any fashion with respect to this RFP or any matters related thereto. All prospective service providers and their assigns or successors, by their participation in the RFP process, shall indemnify, save and hold the DPS and its employees and agents free and harmless from all suits, causes of action, debts, rights, judgments, claims, demands, accounts, damages, costs, losses and expenses of whatsoever kind in law or equity, known and unknown, foreseen and unforeseen, arising from or out of this RFP and/or any subsequent acts related thereto, including but not limited to the recommendation of a service provider and any action brought by an unsuccessful prospective service provider.

VII. RELEVANT DOCUMENTS

At a minimum, the following documents should be reviewed by bidders filing proposals:

- ' This RFP
- ' The Board's order of September 21, 1999 in Docket 5496
- ' The hearing officers' order of March 23, 2001 in Docket 5496

The above-listed Board orders are incorporated into this RFP by reference. They can be obtained from the PSB's website:

<http://www.state.vt.us/psb/>

On this page, click on the link for "PSB Orders," then go the relevant year and month of the orders in question.